

PRESCRIBING FOR SELF AND FAMILY PRACTITIONER/PATIENT RELATIONSHIP

Reference:

§ 54.1-3303. Prescriptions to be issued and drugs to be dispensed for medical or therapeutic purposes only.

A. A prescription for a controlled substance may be issued only by a practitioner of medicine, osteopathy, podiatry, dentistry or veterinary medicine who is authorized to prescribe controlled substances, or by a licensed nurse practitioner pursuant to § [54.1-2957.01](#), a licensed physician assistant pursuant to § [54.1-2952.1](#), or a TPA-certified optometrist pursuant to Article 5 (§ [54.1-3222](#) et seq.) of Chapter 32 of this title. The prescription shall be issued for a medicinal or therapeutic purpose and may be issued only to persons or animals with whom the practitioner has a bona fide practitioner-patient relationship.

For purposes of this section, a bona fide practitioner-patient-pharmacist relationship is one in which a practitioner prescribes, and a pharmacist dispenses, controlled substances in good faith to his patient for a medicinal or therapeutic purpose within the course of his professional practice. In addition, a bona fide practitioner-patient relationship means that the practitioner shall (i) ensure that a medical or drug history is obtained; (ii) provide information to the patient about the benefits and risks of the drug being prescribed; (iii) perform or have performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment through which images and medical records may be transmitted electronically; except for medical emergencies, the examination of the patient shall have been performed by the practitioner himself, within the group in which he practices, or by a consulting practitioner prior to issuing a prescription; and (iv) initiate additional interventions and follow-up care, if necessary, especially if a prescribed drug may have serious side effects. Any practitioner who prescribes any controlled substance with the knowledge that the controlled substance will be used otherwise than medicinally or for therapeutic purposes shall be subject to the criminal penalties provided in § [18.2-248](#) for violations of the provisions of law relating to the distribution or possession of controlled substances.

Guidance:

Documentation

The presence of a record is an essential part of a valid practitioner/patient relationship. The record should contain the following:

1. An appropriate history and physical examination (if pain is present and controlled substances prescribed, the assessment of pain, substance abuse history, and co-existing diseases or conditions should be recorded).
2. Diagnostic tests when indicated.
3. A working diagnosis.
4. Treatment plan.
5. Documentation by date of all prescriptions written to include name of medication, strength, dosage, quantity and number of refills. The prescription should be in the format required by law.

Self-Treatment and Prescribing

1. A practitioner cannot have a bona fide practitioner/patient relationship with himself or herself.
2. Only in an emergency should a practitioner prescribe for himself or herself schedule VI drugs.
3. Prescribing of schedule II, III, IV, or V drugs to himself or herself is prohibited.

Immediate Family

1. Appropriate consultation should be obtained for the management of major or extended periods of illness.
2. No schedule II, III or IV controlled substances should be dispensed or prescribed except in emergency situations.
3. Records should be maintained of all written prescriptions or administration of any drugs.